



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

February 1, 2018

CERTIFIED MAIL

Mr. Phillip Popovec, Site Director
INEOS Nitriles USA LLC
P.O. Box 628
1900 Fort Amanda Road
Lima, Ohio 45804

Re: **INEOS Nitriles USA LLC
Notice of Violation (NOV)
Air Permit
Allen County
0302020371**

**Division of Air Pollution Control
Subject: Notice of Violation**

Dear Mr. Popovec:

Ohio EPA, Northwest District Office (NWDO), Division of Air Pollution Control (DAPC) received the Fourth Quarter 2017 Deviation Report on January 26, 2018, and reviewed the report in accordance with the terms and conditions of the facility's Title V Permit on January 26, 2018.

Listed below are the "Findings" based upon Ohio EPA's review of the quarterly report and conversations with facility personnel. The "Findings" are followed by "Violation(s)" and Requested Action(s) necessary to address the stated findings and violations.

Findings

1. ORC 3704.05(C): *"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."*

Permit terms and conditions C.1.d)(1) of Title V P0122490 for emissions unit P035: *"The permittee shall operate and maintain equipment to continuously monitor and record CO and NOx emissions from this emissions unit... Such continuous monitoring and recording equipment shall comply with the requirements specified in 40 CFR, Part 60.13..."*

40 CFR, Part 60.13(e): *"Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under paragraph (d) of this section, all continuous monitoring systems shall be in continuous operation..."*

- (a) Violation: Data summaries in the fourth quarter 2017 excess emissions report indicate monitoring downtime of 9.28% for CO and 10.46% for NOx. Failure to continuously monitor and record the CO and NOx emissions is a violation of the requirements specified above.
- (b) Requested Action: Within 30 days of receipt of this letter, INEOS shall submit a compliance plan to Ohio EPA which includes how the facility will address the excessive downtime from occurring in the future.

Mr. Phillip Popovec
February 1, 2018
Page 2

Conclusion

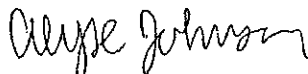
The Ohio EPA requests that INEOS promptly undertake the necessary measures to return to compliance with Ohio's environmental laws and regulations. Within 30 days of receipt of this letter, please provide, to Ohio EPA, the documentation requested above. If you have already resolved the violations listed above, thank you, and please provide documentation supporting compliance. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate.

Failure to comply with Chapter 3704 of the Ohio Revised Code and rules promulgated thereunder may result in an administrative or civil penalty. If circumstances delay resolution of violations, INEOS is requested to submit written correspondence describing the steps that will be taken by date certain to attain compliance.

Please note that the submission of any requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek administrative or civil penalties as provided in Section 3704.06 of the Ohio Revised Code.

Should you have any questions, please contact me at (419) 373-3110 or via email alyse.johnson@epa.ohio.gov.

Sincerely,



Alyse Johnson
Environmental Specialist
Division of Air Pollution Control

/wla

Certified Mail Receipt Number 7017 1450 0001 1489 3496

cc: Alyse Johnson, DAPC-NWDO
Elissa Hartfield, DAPC-NWDO
Jennifer Kellermeier, DAPC-NWDO
Mark Budge, DAPC-NWDO
Jim Kavalec, DAPC-CO
John Paulian, DAPC-CO
Todd Brown, DAPC-CO
Brian Dickens, USEPA Region V
Eugene Paik, INEOS Nitriles USA LLC